

W E A T H E R  
Colder to-night, Sunday fair  
and cold.  
A "Square Deal" to All Advertisers.

# The Fairmont West Virginian.

In Every Sense of the Word—THE HOME PAPER.

WANT ADS  
ARE ALWAYS BUSY.  
Let Them Work For You.  
Nothing Succeeds Like Circulation.

VOLUME V.

FAIRMONT, WEST VIRGINIA, SATURDAY, FEBRUARY 6, 1909.

NUMBER 240

## C. W. DILLON STEPS INTO THE BREACH

### Says a Production Tax is Clearly Unconstitutional

CHARLESTON, Feb. 6.—The proposed tax on coal, oil and gas was dealt a solar plexus blow last night when former Tax Commissioner C. W. Dillon declared that the proposed tax was not constitutional, making this declaration at a joint meeting of the finance committees of the senate and house, held in the senate chamber. He characterized the proposed legislation as an absolute departure from the terms of the constitution. He was not opposed to the measures if the tax could be levied in a proper manner not possible under the constitution, which required a tax on value.

In the bills the legislature was confronted with a serious departure and no subterfuge could change the meaning of the constitution. "When the constitution says value shall be the basis and you charge according to production, you go astray," he said.

"The present bills are drawn," he said, "to avoid the constitution, and if the legislature has a right to lay a production tax on coal, oil and gas it has the same right to lay a production tax on one thing. Why pay on coal and not on lumber?" he asked. The proposed tax, he said, meant a charge of one cent on every dollar of gross income, emphasizing the gross income. It was simply an additional tax on the industries it would affect. One class ought not to bear more than its fair share of taxation. The proposed tax was unconstitutional, unnecessary, and would equal the tax now paid by the coal interests.

Mr. Roach said he had no idea that the committee proposed to levy this tax, and it seemed to him unreasonable. The proposition was so ridiculous that he did not think the legislature would allow the bill to go through.

W. E. Chilton quoted A. B. White as saying that the proposed legislation cannot be passed. The whole question should be looked at from a constitutional, moral and expedient standpoint.

Tax Commissioner T. C. Townsend declared if no more light were thrown on the subject than he had heard last night, he did not intend to change his views. He considered that the cost of building and maintaining miners' hospitals and the mine department should be borne by the industries on whom it was proposed to lay a production tax. The objection was always made, he said, that measures were not constitutional, pointing out as an instance where druggists were charged for their property and also charged a license tax. Besides the legislature was not a tribunal before which the constitutionality of a bill was to be determined, though of course pains should be taken to see that laws were constitutional before they were passed.

## Tried to Sell Girl

### ITALIAN GROCER OF PITTSBURG ARRESTED ON ALLEGATIONS BY ANTONIO GENTILE.

PITTSBURG, Feb. 6. — Accused of having tried to sell a minor Italian girl, whom he is said to have brought to this country about four months ago, Raffaele de Biasi, a grocer of this city, was arrested on a charge of being a suspicious person.

Antonio Gentile, aged 17 years, alleges that de Biasi, who is married, tried to sell her for \$200, and that she refused to elope with him.

Louis Barko, a brother-in-law of the girl, living at Newark, N. J., asked the police here to look for the girl, and he was notified of de Biasi's arrest.

Dr. and Mrs. G. D. Johnson are expected here to-night from Morgantown where they had been since returning from their wedding journey.

## Edward Baxter Perry

CONCERT-PIANIST  
AND LECTURER.

Grand Opera House, Feb. 8th,  
AT 8:15 P. M.

Auspicious Women's Club. Admision, 50c. Tickets on sale at Christie's Drug Store.

## Laughlin Resigns Presidency Of Intelligencer Publishing Co.

### TAX MEASURES CAUSE FIGHT

#### OIL AND GAS PEOPLE SHOW FIGURES ON BUSINESS DONE IN THE STATE.

CHARLESTON, W. Va., Feb. 6.—The oil and gas people are preparing extensive data which they will submit to the legislature in protest against the proposed income tax on their products. It is contended that the general public has very exaggerated notions of the profits made by oil and gas companies, resulting probably from knowledge of the sudden rise of many natives from poverty to affluence because of the discovery of oil on their farms. The South Penn Oil Company is cited as one instance of a small return on an investment, though the popular belief is that the company got rich quick. It is said that during the first ten years of its operations in West Virginia the company invested \$5,000,000, while its revenues amounted to but \$65,000,000. Ten million dollars in profits in ten years reads like a large sum, but it figures less than one per cent a year. The estimated oil and gas production last year was \$35,000,000. About \$5,000,000 was paid to property owners in rentals.

#### Fight on Hearne Bill.

The fight for the Hearne street car bill is one of the prettiest from a standpoint of pugacity of the session. Though inexperienced in the arts of the lobby Ollie Smith and L. F. Moore, the Wheeling street car men here advocating the measure, are going at it like veterans and have gained much headway. The principal fight on the bill will be in the Senate and the abolition of the running board will be the chief point of attack. The argument against the bill is that it is "voting away property." The argument for it is that it is the duty of the State to protect life first and property afterwards. Several influential Fairmonters who are in opposition to coal tax and certain labor laws are also taking a fall out of this bill. The Parkersburg traction interests are also hot against it. It is said these two companies have an unusually large equipment of small summer cars, but inasmuch as they don't have to adopt center axle summer cars until the spring of 1912 they have plenty of time in which to get rid of them.

#### The Prison Probers.

Both the president and the speaker are being complimented on the personnel of the penitentiary investigation committee. Senator Flynn is one of the solid, substantial citizens of Preston county, and is of keen intelligence. Senator Jake Fisher is a cross-examiner and prover of skill and accuracy. Delegate E. C. Colecord is a man accustomed to handling large business affairs, such as are transacted at Moundsville, and has the typical Yankee inquisitiveness in matters of trade. Delegate Warder is a careful, painstaking lawyer, who stands well with the people of Taylor. Delegate Col. Thomas H. Dennis is a lawyer and editor and a man of probity and all around ability. On the whole it is safe to say that if there is anything wrong with the penitentiary committee will find it out, and if everything is all right the committee will ascertain that fact, too.

#### Alford Falls to Show Up.

Since the attack made upon him by Senator Littlepage, Theodore Alford, legislative agent of the Anti-Slavery League, has not made his appearance on the floor of the Senate.

#### The child of Mrs. N. G. Hawkinberry is very ill of pneumonia.

## ELECTRIC THEATER

TO-DAY.

Evening Vaudeville—7 to 10.

No. 1.

THE GREAT BOSWORTH  
Novelty magiclan—Something different from what has been seen here in vaudeville. Come and see him, he is a wonder.

No. 2.

MILMAR & MORRIS

In "The Girl and the Clown."  
A scream all the time. Come and see the smallest clown on the vaudeville stage.

Song

CHILDHOOD DAYS.

Picture.

WRONGFULLY ACCUSED.

### Liquor Issue Causes Split

The Wheeling Intelligencer to-day contains the following interesting letter and comment as the lead on its editorial page:

#### A Difference of Opinion.

The following card explains itself: February 5, 1909.

Dear Sir:—As the attitude of the Intelligencer in opposing the submission of the prohibition constitutional amendment to a vote of the people is not in accordance with my personal views, as it was taken against my wishes and during my absence from the city, and as I am no longer able to control the policy of the paper, I for these reasons tender my resignation as president of the Intelligencer Publishing Company, and desire its immediate acceptance. Respectfully,

GEO. A. LAUGHLIN.

To H. C. Ogden, Sec'y and Treas., Intelligencer Publishing Company, Wheeling, W. Va.

The views of Mr. Laughlin on the prohibition question are generally well known, and it is sufficient to say that they are not in accord with those of the stockholders holding a majority of the stock of the Intelligencer Publishing Co. The Intelligencer has heretofore stated its position at such length that it is not necessary to repeat same in detail now. The change above noted will in no manner affect the continuity of the business or the editorial policy of the Intelligencer.

## NEW GAME LAWS ARE PLANNED

### LEGISLATURE CONSIDERS MEASURES PROPOSED BY THE COMMISSIONER.

Here are the provisions of the new game and fish laws that will in all probability be enacted during the present session.

The appointment of a forest, fish and game warden, who shall hold his office four years, at a salary of \$2,400 per annum; three cents a mile mileage, when traveling by steamboat or rail, and ten cents a mile when traveling otherwise. He must devote all his time to the duties of his office. He shall appoint a chief deputy warden of forests, game and fish, who shall be paid \$900 a year and mileage. Deputy wardens may be appointed for each county and all chiefs of police are made ex-officio deputy wardens. Such deputies shall receive half the fines imposed through the prosecutions and the other half shall be paid into the treasury. All these officials are given abundant authority to enforce the laws.

The wardens are empowered to search any person or examine any boat, vehicle, conveyance, express car, fish box, fish basket, game bag or game coat, or any other receptacle in which game or fish could be concealed when they have reason to believe that they will secure evidence of a violation of the game and fish laws. The wardens are not liable for false seizure.

No person can hunt at any time without securing a license therefor from the county clerk. His application for license must state his age, occupation, weight, height, place of residence, color of hair, eyes and complexion. If the applicant is a non-resident or a forlornier he shall pay a license tax of \$15. Hunters must carry this license with them when in pursuit of game. Persons can hunt on their own grounds without a license.

The closed or seasons when game shall not be shot, follow:

Deer—December 1 to October 15. Hunting with dogs and killing of fawns prohibited at all times.

Ruffed grouse or pheasants, wild turkey—December 15 to October 15. Quail or Virginia partridge—December 20 to November 1.

Gray, black, red or fox squirrel—December 1 to August 31. No person shall kill more than 12 quail, six ruffed grouse or two wild turkeys in any one day, nor more than 96 quail or 25 ruffed grouse or six wild turkeys in any one open season.

Wild duck, wild geese or brant—April 20 to September 1. Wood ducks or swan shall not be killed at any time.

Woodcock, plover, mall, ortolan or

(Continued on Page Five.)

## INTERESTING HISTORY OF REV. GRISSE

### New Pastor of The Central Christian Church

The following is an interesting sketch of Rev. I. N. Grisso, who has been called to the pastorate of the Central Christian church of this city:

Isaac N. Grisso first peeped out upon the walls of this world-house through the mazes of an Ohio atmosphere, at the time when Lincoln's call to arms sounded all over our North-land. Too young to volunteer and enlist in the battle for Equality, Fraternity and Liberty, he kept himself in reserve and trained for, and later-enlisted in the mighty army of Truth in whose war there is no discharge, but whose victories are bloodless and immortal.

Mr. Grisso is a prophet of the new era. While some of his lectures point to the depths in which American people are groveling, with the uplifted hand of hope immortal, his finished sentences point to the heights they may reach. He believes that in the infinite vocabulary of God there is no such word as failure. He feels and makes others feel that God has put no man into this world without giving him something to do, and something so unique that no one else can do. In the language of Wendell Phillips he would say that the Good Father has not "poured Niagara as the requiem of broken hopes, nor scooped out the Mississippi valley as the grave of a dying people." He has not piled the mountains in eternal mockery of man's impotence, nor built his home beyond the stars and left him wingless to reach that home.

Mr. Grisso belongs to that class of men who are doing the work of the world which endures. He is above all a genuine man, of royal good nature, positive convictions, and evident sincerity; a scholar whose natural powers have been matured and polished by years of study in the school, and better still by years of actual training in the school of life with its many departments of instruction; and calls for organizing knowledge and relating facts to the solution of the problem of human life.

It is a delight to listen to Mr. Grisso's rounded sentences, pure English, and faultless logic, still more pleasing to revel in the wholesome humor which plays trippingly through his lectures. His lectures abound in dramatic situations, graphic descriptions, and striking delineations of character. His understanding of great men, and his interpretation of the epoch-making events in history are amazing. He not only delights his audiences while he is before them, but sends them home with higher ideals and nobler aims.

## Mr. A. P. Jones

### MAKES ANNOUNCEMENT AS CANDIDATE FOR NOMINATION FOR CITY CLERK.

Just before going to press to-day, Mr. A. P. Jones, of the Second ward, announced in his announcement as a candidate for the Republican nomination for city clerk. The announcement came after the editorial page was made up and we were unable to give him the usual mention. However, we can say here that Mr. Jones is a first class man in every respect and would make an excellent city clerk. He has been employed in clerical work with the Fairmont Coal Company for several years and is regarded as a valuable man.

He had the serious misfortune to be incapacitated for work for several months on account of illness and this fact will serve to make him friends in the race. No words we can say would be too strong in commending Mr. Jones to the consideration of the people for the office of city clerk and we feel assured that his announcement will be well received among Republicans throughout the city.

Many people who are not "compelled" to rent a few furnished rooms—people who refuse to pay "pride-taxes."

## Wets Scored In The Senate On Local Option Measure

### Hazlett Bill Was Voted Down

CHARLESTON, Feb. 6.—Advocates of a liberal local option law had the senate well in hand yesterday afternoon and after a long hard fought battle they succeeded in laying to rest the Hazlett local option measure and centering consideration upon the Craig bill. The Hazlett bill as originally drawn made the county the unit. It also provided that any precinct, ward or district that voted dry would stay dry though the county voted wet. The Craig bill excepts cities of over 2,000 from the county vote and requires no elections at all in cities where the council has the exclusive license granting power.

The proposition came up as special order at 3:30 p. m. pending a motion made to substitute the Hazlett bill for the Craig bill. Kidd started the discussion by moving to strike out of the Hazlett bill the section exempting cities of over 5,000 population from the vote of the county. Mr. Hazlett explained that that provision was not in his original bill, but had been inserted by the judiciary committee against his opposition. He favored making the county the unit without exception.

#### Kidd's Amendment Lost.

A lively debate followed, showing that the intention was to fight every inch of the way. Kidd's amendment was lost by a vote of 17 to 10 after a fruitless effort had been made by Smith, of Cabell, to postpone the announcement of the vote.

Blue offered an amendment providing that all territory now dry shall remain dry until it is voted wet. This carried by 27 to 0.

Senator White moved that the substitute be struck out, but was ruled out of order. Several more speeches were made, but further discussion was stopped by Bailey's moving the previous question.

The senate then by a vote of thirteen ayes and fifteen noes declined to substitute Hazlett's bill for the Craig bill.

#### How They Voted.

Ayes—Blue, Carroll, England, Flynn, Grimes, Hazlett, Kidd, Santee, Shinn, Smith (of Cabell), Smith (of Raleigh), Sutherland, Foreman—13.

Noes—Ashburn, Bailey, Baker, Coe, Cram, Criss, Fisher, Gartlan, Hatfield, Johnson, McIntire, Meredith, Miller, Silver, White, Zilliken—15.

Absent—Coffman and Littlepage.

Then Senator Fisher offered an entirely new bill as a substitute for the Craig bill. The chief point of difference in this bill was that it provided extremely stringent provisions against the shipment of liquor into dry territory. Fisher explained that he believed if a community wished to be dry it should not have its wishes overruled by liquor dealers in wet communities. Blue moved that the entire matter be referred to the judiciary committee and the discussion broke out afresh.

#### A Lively Debate.

Col. White spoke at length in advocacy of the Craig bill, contending that it answered all requirements. Grimes attacked it strenuously, and he was aided by Blue who said it was no local option bill at all, because under its provisions a city was not bound by the result of the vote in the county, but on the other hand could outvote the county districts and force saloons on them against their will.

Smith, of Cabell, contended that the Craig bill was intended to put whiskey in dry counties. Blue's motion to refer was lost by 13 ayes and 15 noes. The vote was the same as given above except that Sutherland voted no and Fisher voted aye.

England next moved to make the matter a special order for Monday afternoon. Thirteen ayes and fifteen noes settled the fate of this motion. The senate then adjourned to Saturday with the matter pending on Fisher's substitute to Craig's bill.

#### Prior to considering of local option

Hatfield's administration bill, increasing retail liquor license to one thousand dollars was advanced to its third reading.

#### Italian Child Dead.

The remains of a two year old Italian girl, Theresa Bellina, were brought here this afternoon by trolley from Farmington and were interred in Holy Cross Cemetery by Undertaker Cunningham. The child's death occurred yesterday.

If you COULD handle more business, do more advertising—and get it.

## NORMAL TEAM WAS WINNER

### LOCAL TEAM BEAT AGGREGATION OF PLAYERS FROM PARK- ERSBURG.

The basket ball game at the Normal gym last night resulted in a victory for the local team. The visiting team came from Parkersburg, representing the Mountain State Business College. In the first half the score stood 6-8 in favor of the local team, and in the second half the visitors were unable to make a point. The local team did some random shooting, but on the whole played a very consistent game. The score was 15 to 6. The lineup was as follows:

F. S. N. S.— —M. S. B. C.  
Baues ..... F ..... Bright,  
Amos ..... W ..... Doll  
Hamilton ..... C ..... Sinsel  
Lanham ..... G ..... Howell  
Kennedy ..... C ..... Montross  
Referee, Ford; umpire, Jones, time-keeper, Layman; scorekeeper, Brown; time of halves, 20 minutes; attendance, 200.

The Normal team will play the Clarksburg High school team to-night.

The local High school team will battle with the Parkersburg High school team to-night at Parkersburg.

## FIRST WARD GIRL DEAD

### MISS EULIA MADGE BARTHOLOW DIED THIS MORNING AT COOK HOSPITAL.

Miss Eulia Madge Bartholow, daughter of Mr. and Mrs. F. Bruce Bartholow, of Morgantown avenue, died this morning at an early hour at Cook Hospital where she recently underwent an operation. From the first Miss Bartholow's condition had been serious, and last night was taken suddenly worse, death resulting in a few hours.

Deceased was aged 17 years and four months. She was a bright, lovable young girl, and her death has caused much sorrow among her friends. Her parents, several brothers and sisters survive her. Funeral services will be held at the residence on Tuesday morning and interment will be made in Maple Grove Cemetery.

## SYMPATHY FOR QUALTROUGH

### NOW DECLARED CAPTAIN OF THE GEORGIA MAY BE DIS- MISSED FROM NAVY.

GIBLALTAR, Feb. 6.—The findings of the court-martial which heard the evidence against Captain Edward P. Qualtrough, of the battleship Georgia on a charge of intoxication at Tangier, at the reception given by the American minister, Samuel R. Gummere, and which were presented to Rear Admiral Sperry, commander-in-chief of the Atlantic battleship fleet, were approved by the rear admiral and forwarded to Washington.

The findings were not made public here, but it is stated with certainty that Captain Qualtrough was not acquitted. It is believed, on the contrary, that the findings are of so grave a nature that he will not be restored to duty. The rumor is abroad in the fleet that should the findings be approved by the navy department at Washington, Captain Qualtrough will be disgraced and possibly dismissed from the service.

It was learned last night that Lieutenant Commander George W. Kline will be in command of the Georgia for the voyage home from this port.

Among the officers of the fleet much sympathy is expressed for Captain Qualtrough.

## DIXIE

The "Always Good" Theater.

For To-Day, Saturday.

THE FLORIDA FEUD.

A story of jealousy and family taken in the Everglades of our own Florida, very realistic, exciting and true to nature.

Song—

Like I Had Some Sense.  
(Coca Rag.)

## CHICAGO'S MEMORIAL OF LINCOLN

### Entire Week To Be Given To His Memory

CHICAGO, Feb. 6.—Illinois, as the political battlefield on which Abraham Lincoln made the fight which finally landed him in the presidential chair, will celebrate his centennial in a manner befitting the esteem in which "Honest Abe" is held by the people of this State. There will be nothing of partisanship or sectionalism in this observance, and distinguished men of all parties and creeds, and all sections of the country will take part in the celebration.

In this city the entire week beginning to-morrow will be observed as Lincoln memorial week, by proclamation of Mayor Busse. The formal observance will begin Thursday with exercises in all of the schools of the city. Friday, Lincoln's natal day, will be marked by a great public mass meeting at which the speakers will include President Woodrow Wilson, of Princeton; President Edwin E. Sparks, of Pennsylvania State College; Dr. Emil Hirsch and John A. MacDonald, editor of the Toronto Globe.

The Chicago Tribune, which was the first great newspaper to boom Lincoln for the presidency, will issue a Lincoln centenary edition to-morrow. During his early career, Lincoln was almost constantly in counsel with the editors of the Tribune, then known as the Press and Tribune, and it was one of the editors of this newspaper, while in Washington in 1859, who first impressed upon the Bolons of the national capital the fact that Illinois had a man for the times.

The celebration of the centennial at Springfield, the State capital, will also be of an imposing nature, since it was in that city that Lincoln was best known. It is not thought that the attempts of prohibitionists to discredit the banquet the feature of the Springfield celebration, because of the allegation that wine will be served, will be of any effect.

At Beardstown a novel ceremony will be held next Friday, when a memorial tablet will be unveiled in the City Hall by the clubwomen of this city, in honor of Lincoln the lawyer, who, "for the sake of a mother in distress," successfully defended an innocent man who was charged with murder.

#### NEW TYPEWRITERS.

The equipments at the Union Business College are daily being increased owing to the steadily increasing enrollment. Within the past few days two Remington typewriters and two of the L. C. Smith machines have been installed, besides a line of new desks. With the new installment of desks, the college room is now complete in that line as the first set of desks were put in place a few weeks ago.

The enrollment at the college increases each day, and since the first of the year the enrollment has doubled. G. R. Barnes, C. R. Galliard, H. E. People and Austin Mauns are new additions to the enrollment this week.

Mrs. J. F. Bishop, of Grant street, is visiting relatives in Ohio.

## SATURDAY, FEB. 6

Will be the opening day of the largest and most up-to-the-minute clothing store Fairmont ever had.

We extend a cordial invitation to you all to come in and pay us a visit, whether you wish to buy or not.

Cordially yours,

## Bert S. Leopold & Co.

### "FOR BETTER CLOTHES"

COR. MAIN AND BARNEY STS.